

ATTORNEY'S DOCKET
017220.0115

REISSUE APPLICATION



1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Greene, et al.
Patent No.: 5,203,267
Reissue Application No.: 08/425,766
Filing Date: April 19, 1995
Title: METHOD AND APPARATUS FOR DISPOSING OF
WASTE MATERIAL

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the date shown below.

Judy Dagger
6/16/95

Date

Honorable Commissioner of
Patent and Trademarks
Washington, D.C. 20231

Dear Sir:

**DECLARATION ESTABLISHING
PRIORITY INTEREST BY PERSON SIGNING
ON BEHALF OF AN OMITTED INVENTOR**

I, Michael T. Slataper, President of MTS Capital, Inc., General Partner, NCE Concepts, Ltd., 2150 Chennault, Carrollton, Texas 75006, am the person signing the Declaration for the above-identified application on behalf of the omitted joint inventor, Mr. Ralph M. Greene, and make this Declaration as to the facts establishing my proprietary interest.

As of the date I signed the Declaration for this Reissue Application the proprietary interest

in this invention belong to NCE Concepts, Ltd.

I establish this proprietary interest by attaching a copy of the Assignment from Mr. Greene for U.S. Application Serial No. 07/643,419, now U.S. Patent 5,203,267 to New Clear Energy, Inc. and the Assignment of all right, title, and interest in U.S. Patent 5,203,267 from New Clear Energy, Inc. to NCE Concepts, Ltd.

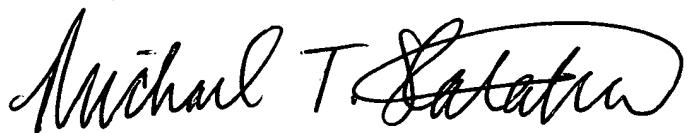
This Reissue Application was filed on April 19, 1995, to preserve the rights of NCE Concepts, Ltd. under 35 U.S.C. §251 before the expiration of the two-year deadline for broadening the scope of issued claims in U.S. Patent 5,203,267 under 35 U.S.C. § 251. Mr. Greene is no longer an employee of New Clear Energy, Inc. or NCE Concepts, Ltd. and was contacted by patent counsel for NCE Concepts, Ltd. and has declined to execute the Declaration for this Reissue Application.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date:

6/16/95

Signed:



Title: President of MTS Capital, Inc.
General Partner

NCE Concepts, Ltd.
2150 Chennault
Carrollton, Texas 75006



100-16-
100

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 12/07/94

TO:

NO4B

ROBERT M. CHIAVIELLO, JR.
BAKER & BOTTS, L.L.P.
2001 ROSS AVENUE
DALLAS, TEXAS 75201-2980

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:

DOC DATE: 10/19/94

NEW CLEAR ENERGY, INC.

RECORDATION DATE: 11/08/94 NUMBER OF PAGES 007 REEL/FRAME 7189/0786

DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:

NCE CONCEPTS, LTD.
2150 CHENAULT
CARROLLTON, TEXAS 75006

SERIAL NUMBER 7-804474 FILING DATE 12/06/91
PATENT NUMBER 5,203,267 ISSUE DATE 04/20/93

SERIAL NUMBER 8-009224 FILING DATE 01/26/93
PATENT NUMBER 5,305,697 ISSUE DATE 04/26/94

Docket _____ Status _____

Wrapper _____ Agenda _____

Cross Ref. _____

Reference(s) _____

Causey Farrell
EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

JAN 03 1995

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(ATTORNEY'S DOCKET 17720-000)

FORM PTO-1595

1-31-92

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1995

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

80 5817

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name and Address of Conveying Party(ies):

New Clear Energy, Inc., 2150 Chenault, Carrollton,
Texas 75006 Corporation/State: Partnership/State: Limited Partnership/State: Individual/Citizenship:

Additional name(s) of conveying party(ies) attached?

Yes No

3. Nature of conveyance:

 Assignment / Merger Security Agreement Change of Name Other

Execution Date: October 19, 1994

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

B. Patent No.(s)

5,203,267 5,305,697

Additional Numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Robert M. Chiaviello, Jr.

Internal Address: BAKER & BOTTS, L.L.P.

Street Address: 2001 Ross Avenue

City: Dallas

State: Texas Zip: 75201-2980

6. Total number of applications and patents involved: 2

7. Total Fee (37 CFR 3.41): \$80.00

 Enclosed Authorized to be charged to deposit account

8. Deposit account number:

(Attach Duplicate Copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

090 BA 11/23/94 5203267

2 581 80.00 CK

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Robert M. Chiaviello, Jr.

Name of Person Signing

Signature

Robert M. Chiaviello, Jr.

Date

11/3/94

a/s

Total number of pages including cover sheet

7

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information:

Commissioner of Patent and Trademarks

Box Assignments

Washington, D.C. 20231

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PTC-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503.

PATENT

PATENT ASSIGNMENT

WHEREAS, NEW CLEAR ENERGY, INC. (hereafter "Assignor"), a Texas corporation, having an address of 2150 Chenault, Carrollton, Texas 75006, is the sole and exclusive owner of all right, title and interest in and to the United States Letters Patent listed in Exhibit A attached hereto and to the inventions described and claimed therein; and

WHEREAS, NEW CLEAR ENERGY, INC. is the sole and exclusive owner and has the entire right, title and interest in and to the Applications for Patent in countries foreign to the United States listed in Exhibit B attached hereto and to the inventions described and claimed therein; and

WHEREAS, NCE CONCEPTS, LTD. (hereafter "Assignee"), a Texas limited partnership, with an address of 2150 Chenault, Carrollton, Texas 75006, desires to acquire all right, title and interest in and to the patents and patent applications, together with the inventions described therein;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignor does hereby sell, assign, transfer and set over to Assignee, all right, title and interest in and to

(1) the patents listed in Exhibit A and the inventions described and claimed therein, as well as all continuations, divisions, continuations-in-part, reissues and extensions thereof, the same to be held and enjoyed by Assignee for its own use and enjoyment and for the use and enjoyment of its successors, assigns and other legal representatives, to the end of the term or terms for which such patents are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made;

(2) the patent applications listed in Exhibit B and the inventions described and claimed therein, as well as all continuations, divisions, continuations-in-part, reissues and extensions thereof, the same to be held and enjoyed by Assignee for its own use and enjoyment and for the use and enjoyment of its successors, assigns and other legal representatives, to the end of the term or terms for which such patents are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by Assignor if this assignment and sale had not been made;

(3) all claims for damages by reason of past infringement of such patents, with the right to sue for and collect the sale for its own use and enjoyment and for the use and enjoyment of its successors, assigns and other legal representatives.

1994-06-11 17:37:01

Assignor further agrees that it will, at any time upon request, execute and deliver any and all lawful papers that may be necessary or desirable to perfect the titles to such patents and patent applications, and the inventions described therein to Assignee and its successors, assigns or other legal representatives.

This Assignment shall be binding on the parties' successors, assigns and legal representatives.

IN WITNESS WHEREOF, Assignor hereby executes this Patent Assignment on this 19 day of October, 1994.

Assignor:

NEW CLEAR ENERGY, INC.

By: Patrick C. Malone

Name: PATRICK C. MALONE

Title: NCE PRES.

11/18/94 MTS

Assignee:

NCE CONCEPTS, LTD.

By: Michael Slataper

Name: Michael T. Slataper

Title: President of MTS Capital, Inc.
General Partner

EXHIBIT A**Issued U.S. Patents**

<u>Patent No.</u>	<u>Issue Date</u>	<u>Title</u>
5,203,267	04/20/93	Method and Apparatus for Disposing of Waste Material
5,305,697	04/26/94	Method and Apparatus for Disposing of Waste Material

REF ID: A89 FILE #789

EXHIBIT B**Foreign Pending Patent Applications**

<u>Application No.</u>	<u>Filing Date</u>	<u>Country</u>	<u>Title</u>
82102919	04/16/93	Taiwan	Method and Apparatus for Disposing of Waster Material

RLL7189MME190

STATE OF TEXAS

COUNTY OF Dallas

§
§
§

Before me, the undersigned, a Notary Public, on this day personally appeared Patrick C. Malone, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said New Clear Energy, Inc., a Texas corporation, and that he/she has executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 19 day of October, 1994.

Rachel Beal
Notary Public

Rachel Beal
Printed Name of Notary

My Commission Expires:

07-01-97

1994 10 06 11:11 AM

STATE OF TEXAS

COUNTY OF Dallas§
§
§

Before me, the undersigned, a Notary Public, on this day personally appeared Michael T. Slataper, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that the same was the act of the said NCE Concepts, Ltd., a Texas limited partnership, and that he has executed the same as the act of such limited partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this 19 day of October, 1994.

Rachel Beal
Notary Public

RECORDED
PATENT & TRADEMARK OFFICE

NOV -8 94

Rachel Beal
Printed Name of Notary

My Commission Expires:

07-01-97

2613000681712



DATE: 06/27/91
 TO:
 BAKER & BOTTS
 800 TRAMMELL CROW CENTER
 2001 ROSS AVE.
 DALLAS, TX 75201-2916

UNITED STATES DEPARTMENT OF COMMERCE
 Patent and Trademark Office
 ASSISTANT SECRETARY AND COMMISSIONER
 OF PATENTS AND TRADEMARKS
 Washington, D.C. 20231

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ASSIGNOR: DOC DATE: 05/20/91
 GREENE, RALPH F.

ASSIGNOR: DOC DATE: 05/20/91
 MALONE, PATRICK C.

RECORDATION DATE: 05/24/91 NUMBER OF PAGES 002 REEL/FRAME 5715/0001

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:
 NEW CLEAR ENERGY, INC.
 A TX CORPORATION
 SUITE 290
 1700 COIT ROAD
 PLANO, TEXAS 75075

SERIAL NUMBER 7-643419 FILING DATE 01/22/91
 PATENT NUMBER ISSUE DATE 00/00/00

BAKER &

JUL 23 199

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Docket / Status /
 Wrapper / Agenda _____
 Cross Ref. /
 Reference(s) _____

300-510-11

PATENT



1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Patrick Charles Malone, et al.

Serial No.: 07/643,419

Filed: January 22, 1991

Group Art Unit:

Examiner:

Title: METHOD AND APPARATUS FOR DISPOSING
OF WASTE MATERIAL

Honorable Commissioner of
Patent and Trademarks
Washington, D.C. 20231

I hereby certify that this correspondence
is being deposited with the United States
Postal Service as first class mail in an envelope
addressed to Commissioner of Patent and
Trademarks, Washington, D.C. 20231 on

May 21, 1991

C. Baker
Signature

5/21/91
Date of Deposit

Dear Sir:

TRANSMITTAL OF ASSIGNMENT

Enclosed herewith for recording is the Assignment of the
above-identified application to New Clear Energy, Inc. A
check in the amount of \$8.00 is enclosed.

Return the recorded assignment to the undersigned.

Respectfully submitted,

BAKER & BOTTS

Attorneys for Applicant

Robert M. Chiaviello, Jr.
Robert M. Chiaviello, Jr.
Reg. No. 32,461

800 Trammell Crow Center

2001 Ross Avenue

Dallas, Texas 75201-2916

(214) 953-6677

May 21, 1991

Docket No. 17220-0101

91575136

ASSIGNMENT

WHEREAS, We, the undersigned inventors, of residence as listed, having invented certain new and useful improvements as below entitled, for which application for United States Letters Patent has been filed January 22, 1991, Serial No. 07/643,419, the said application having been executed on the date set forth below; and

WHEREAS, NEW CLEAR ENERGY, INC., (hereinafter referred to as "Assignee"), a Texas corporation, with principal place of business at 1700 Coit Road, Suite 290, Plano, Texas 75075, is desirous of acquiring our entire right, title and interest in and to the invention, and in and to the said application and any Letters Patent that may issue thereon;

NOW, THEREFORE, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, we do hereby sell, assign and transfer unto said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest in and to said invention and in and to said application and all patents which may be granted therefor, and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all patents for said invention, or patents resulting therefrom, insofar as our interest is concerned, to the said Assignee of our entire right, title and interest.

We also hereby sell and assign to said Assignee, its successors, assigns and legal representatives the full and exclusive right, title and interest to the invention disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said invention in its own name throughout the world including all rights of priority, all rights to publish cautionary notices reserving ownership of said invention and all rights to register said invention in appropriate registries; and we further agree to execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect such right, title and interest in Assignee, its successors, assigns and legal representatives.

We hereby further agree that we will communicate to said Assignee, or to its successors, assigns and legal representatives, any facts known to us respecting any improvements; and, at the expense of said Assignee, to testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, make lawful oaths, and generally do everything possible to vest title in said Assignee and to aid said Assignee, its successors, assigns and legal representatives to obtain and enforce proper protection for said invention in all countries.

We have hereunto set our hand:

METHOD AND APPARATUS FOR DISPOSAL OF WASTE MATERIAL

Signature of Inventor:

Inventor's Name:

Residence (City, County, State)

Date:

RECORDED

~~PERMITS FOR DISPOSAL OF WASTE MATERIAL~~
Patrick Charles Malone

Patrick Charles Malone
4924 Brandenburg Lane
The Colony (Denton)
Texas

May 20, 1991

Date Application Executed:

OFFICE

January 11 1991

Signature of Inventor:

頁 24

Walter L. H. G.

Ralph Franklin Greene
777 Custer Road, #3-3
Richardson (Dallas)

MAY 20, 1991

Date:

Date Application Executed:

January 18, 1991